



IN REPLY REFER TO:

UCA-1003  
WTR-4.00

# United States Department of the Interior

## BUREAU OF RECLAMATION

Upper Columbia Area Office  
1917 Marsh Road  
Yakima, Washington 98901-2058

JAN 31 2007



RECEIVED

FEB - 1 2007

DEPARTMENT OF ECOLOGY  
EASTERN REGIONAL OFFICE

Mr. William Allen Beem  
21302 Bennett Estate Lane  
Leonardtown, Maryland 20650

Subject: Request for Release from the Bureau of Reclamation (Reclamation) Withdrawal  
Ecology Application No. S3-30515

S3 30525

Dear Mr. Beem.:

This letter replies to your recent communication with the Reclamation regarding your request for "release" of some of Reclamation's withdrawn water from the Columbia River system.

In December of 2004, Reclamation withdrew all of the remaining unappropriated waters of the Columbia River and its tributaries above Priest Rapids Dam, including groundwater in continuity to surface water, pursuant to federal and state law. This withdrawal allowed Reclamation to proceed with the Yakima Basin Storage Study.

Since Reclamation withdrew the remaining water appropriable in the Columbia system, pending the studies mentioned above, we requested that the Department of Ecology notify Reclamation of applications for water so that Reclamation could review and possible "release" some of its interest in the withdrawn water on a case-by-case basis. As you may know, only the state of Washington issues water rights permits. In this matter, Reclamation is a holder of withdrawn water and a "release," if granted, would mean that some portion of Reclamation's withdrawal would be released back to the State to continue your application and permitting process.

We have received and reviewed your request for a "release". At this time, we cannot grant a release from Reclamation's withdrawal due to current activities, studies, and pending efforts regarding the Columbia and Yakima Rivers. The Yakima Basin Storage Study is ongoing and the withdrawal will extend to December of 2008. At that time, we can better assess the availability of water in the Columbia system.

The Department of Ecology can inform you further on the status of your application or other methods of obtaining water for your needs. If you have additional questions on this matter for Reclamation, you may call Mr. Ferry, Water Rights and Adjudication Manager at 509-575-5848.

Sincerely,

A handwritten signature in dark ink, appearing to read 'William M. Ferry', written in a cursive style.

William M. Ferry  
Adjudication Manager

cc: Ms. Katherine A. Ryf  
Eastern Regional Office  
Dept. of Ecology  
4601 N. Monroe Street  
Spokane, WA 99205

Mr. William Gray, EPH-2000



4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

Mr. William Allen Beem  
21302 Bennett Estate Lane  
Lenardtwn, Maryland 20650





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STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

August 10, 2006

Mr. William Allen Beem  
21302 Bennett Estate Lane  
Lenardtown, Maryland 20650

Dear Mr. Beem:

Re: Surface Water Application No. S3-30519  
WRIA 62 – Pend Oreille County

25  
10-23-06  
K. R. R.

This letter is to acknowledge that the Washington State Department of Ecology received your water right application on August 2, 2006. Thank you for your associated fee (Ck. #6983) in the amount of \$50.00, which satisfies the required fee per ESBH 2309.

Please be advised that the filing of an application does not authorize your request. You are required to obtain authorization before you can begin using the water applied for under this application, **please note that no construction or water use should begin before a water right authorization is obtained.** I've enclosed a focus sheet describing the water right process for your review.

At this time, processing of the above referenced application can not continue until you obtain a release of the desired quantity of water from the U.S. Bureau of Reclamation. This special requirement is necessary given that Reclamation has been granted a blanket withdrawal of all of the remaining un-appropriated waters of the Columbia River and tributaries above Priest Rapids Dam, including ground waters in continuity. This withdrawal was granted by the Washington State Department of Ecology in conjunction with the Columbia Basin Storage Study.

In obtaining the withdrawal, Reclamation requested that any application for water be held by Ecology until the applicant is granted a release. The intent is to allow consideration of the request as to its potential effect upon future water storage projects being considered by the Enhancement Study Team.

**Therefore, you must contact Mr. J. William McDonald, Pacific Northwest Regional Director, U.S. Bureau of Reclamation to request a release for this surface water diversion from an unnamed spring tributary to the Pend Oreille River.**





Mr. William Allen Beem  
Surface Application No. S3-30515  
August 10, 2006  
Page 2 of 2

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Mr. McDonald can be reached at 208-378-5012 or at the address below. We have enclosed to you a copy of your application, which must be submitted to Reclamation at the time of your request. Keep in mind Ecology will withhold action on any water right applications that are not granted a release until the withdrawal expires.

**When you obtain a written release from Reclamation, please forward a copy to our office in order for us to continue with the formal processing of application no. S3-30515.**

If you have any questions concerning this letter, you may contact me directly at 509-329-3586 or our reception line at 509-329-3400 and ask for the Water Resources Program.

Sincerely,

*Karyf*

Katherine A. Ryf  
Water Resources Program  
Department of Ecology  
Eastern Regional Office

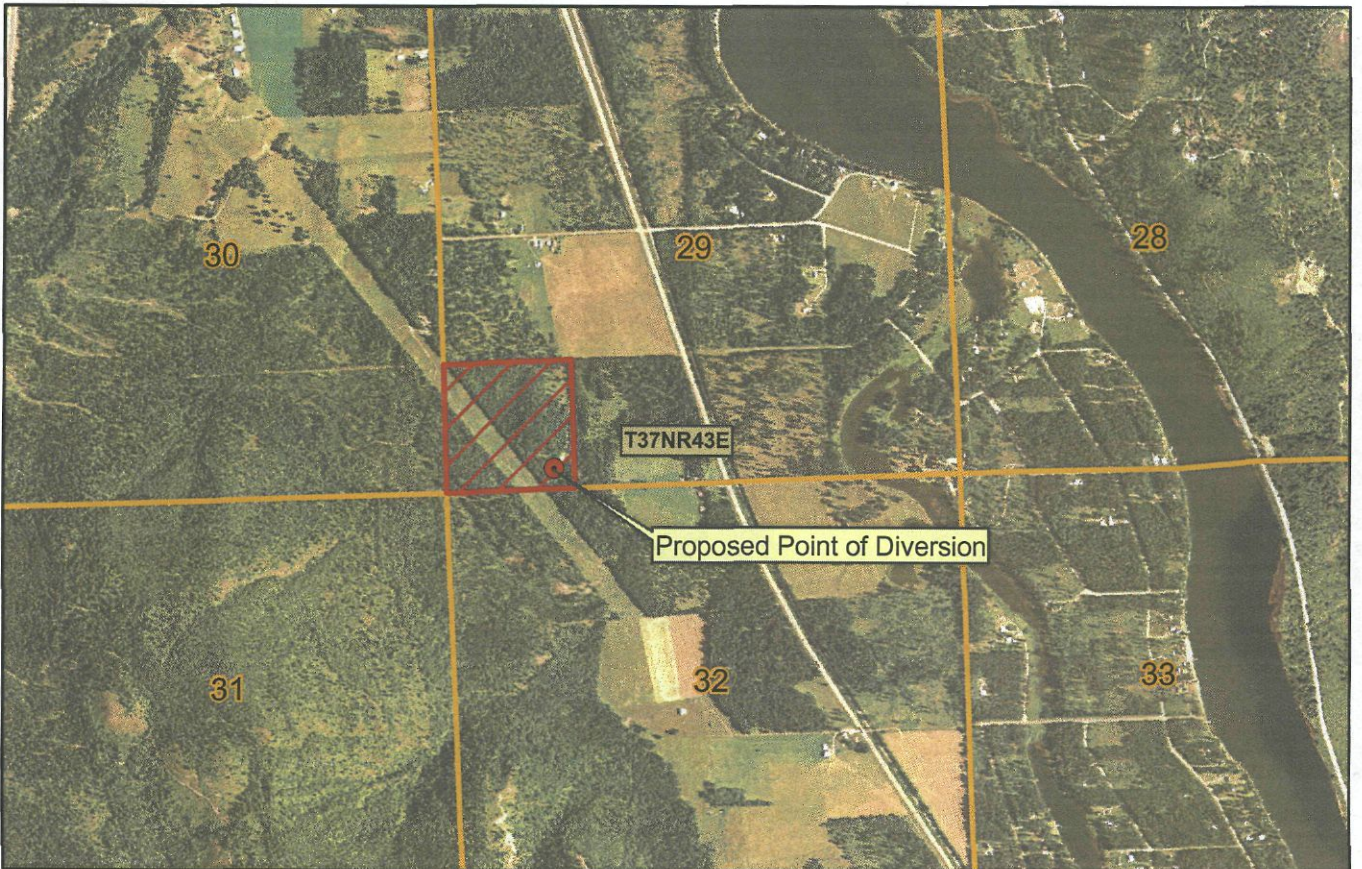
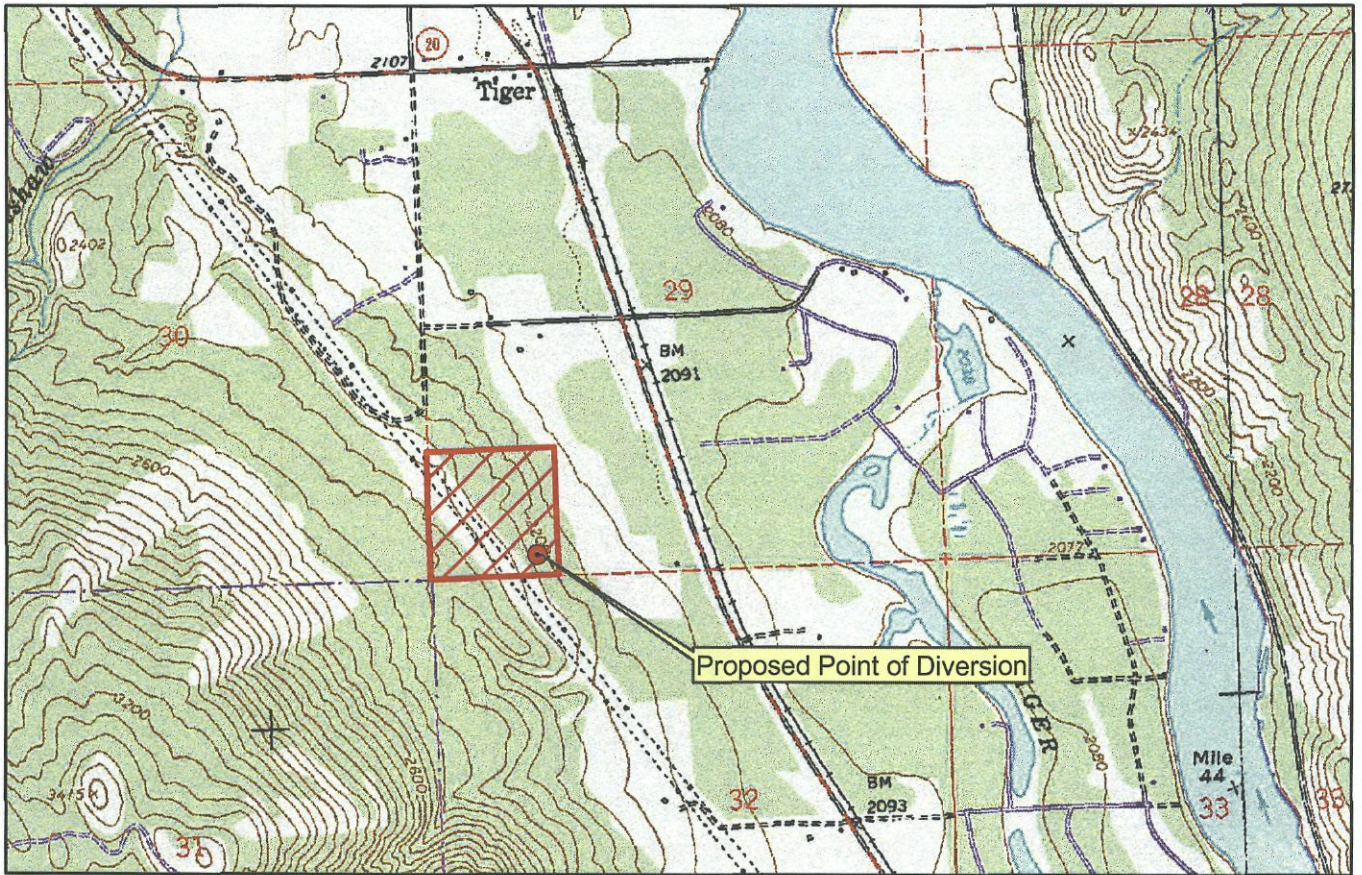
KAR: kla

Enclosure

cc: Mr. J. William McDonald  
Regional Director  
U.S. Bureau of Reclamation  
1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234

Mr. William D. Gray  
Ephrata Field Office  
U.S. Bureau of Reclamation  
P.O. Box 815  
Ephrata, Washington 98823-0815





**Legend**

- Proposed Point of Diversion
- ▨ Proposed Place of Use
- ▭ Township
- ▭ Section
- ▭ County
- ▭ WRIA
- Roads

0 1,320 2,640 5,280 7,920 Feet

Comments:

Mapped on 8/04/2006

2005 Aerial Photo



**Ryf, Katherine A. (ECY)**

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**From:** Ryf, Katherine A. (ECY)  
**Sent:** Friday, August 04, 2006 8:59 AM  
**To:** 'Beem, William A'  
**Subject:** RE: Water Rights...

Bill,

I completely forgot about a new issue within Washington State. Some applications must obtain a release of the desired quantity of water from the U.S. Bureau of Reclamation. This special requirement is necessary given that Reclamation has been granted a blanket withdrawal of all of the remaining unappropriated waters of the Columbia River and tributaries above Priest Rapids Dam, including ground waters in continuity. This withdrawal was granted by the Washington State Department of Ecology in conjunction with the Columbia Basin Storage Study.

In obtaining the withdrawal, Reclamation requested that any application for water be held by Ecology until the applicant is granted a release. The intent is to allow consideration of the request as to its potential effect upon future water storage projects being considered by the Enhancement Study Team.

Once the release is obtained from Reclamation and is received by our office, we will forward the publication notice to you. Therefore, your Father will receive a "release" letter from our office prior to us sending him the publication notice.

Sorry for the incontinence. Katherine

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**From:** Beem, William A [mailto:William.A.Beem@constellation.com]  
**Sent:** Friday, August 04, 2006 4:29 AM  
**To:** Ryf, Katherine A. (ECY)  
**Subject:** RE: Water Rights...

Thank you very much for the info (and your patience) Katherine. Have a great day.

---

**From:** Ryf, Katherine A. (ECY) [mailto:KYER461@ECY.WA.GOV]  
**Sent:** Thursday, August 03, 2006 1:16 PM  
**To:** billbeem7@aol.com  
**Subject:** Water Rights...

Bill,

Per our conversation of today, I have attached for your review a copy of the water right claim that your Father submitted with his new water right application. As we discussed, here is a link to Ecology's focus sheet describing a water right claim:

<http://www.ecy.wa.gov/pubs/972022swr.pdf>

You may also visit our web-site at <http://www.ecy.wa.gov/programs/wr/wrhome.html> for further water resources information regarding water rights in Washington State.



As we discussed I will be sending your Father an acknowledgment letter for the surface water application our office received on August 2, 2006. That letter will include a publication notice, which must be published in the locality of where the water will be appropriated. The cover letter will include instructions on how to publish the notice. Once we receive the original affidavit of that publication, it may be sometime until an examination (permit writer review) of the project is initiated. If you or your Father have any questions, please do not hesitate to contact me directly.

<<S3-137002CL Lovell WR claim.pdf>>

Katherine Ryf  
Department of Ecology  
Water Resources Program  
kyer461@ecy.wa.gov  
509-329-3586

>>> This e-mail and any attachments are confidential, may contain legal, professional or other privileged information, and are intended solely for the addressee. If you are not the intended recipient, do not use the information in this e-mail in any way, delete this e-mail and notify the sender. CEG-IP2



N ↑

Head of spring is 70 feet from poly tank.

house site is 140 feet from tank

about East

the well.

warp

spring

Baslow Road

mile post 391

Tiger

8 of Annille from Tiger

Tubegate Access Road

Two camp Trailings

(X)

(location)  
The head of the spring is about  
200 feet from the south East  
corner  
and about 150 feet to the  
south property line.  
This is near as I can tell.

S3-30525



Sec. 29 Twp. 37N. Rge 43E., W.M.  
PEND OREILLE County, WA

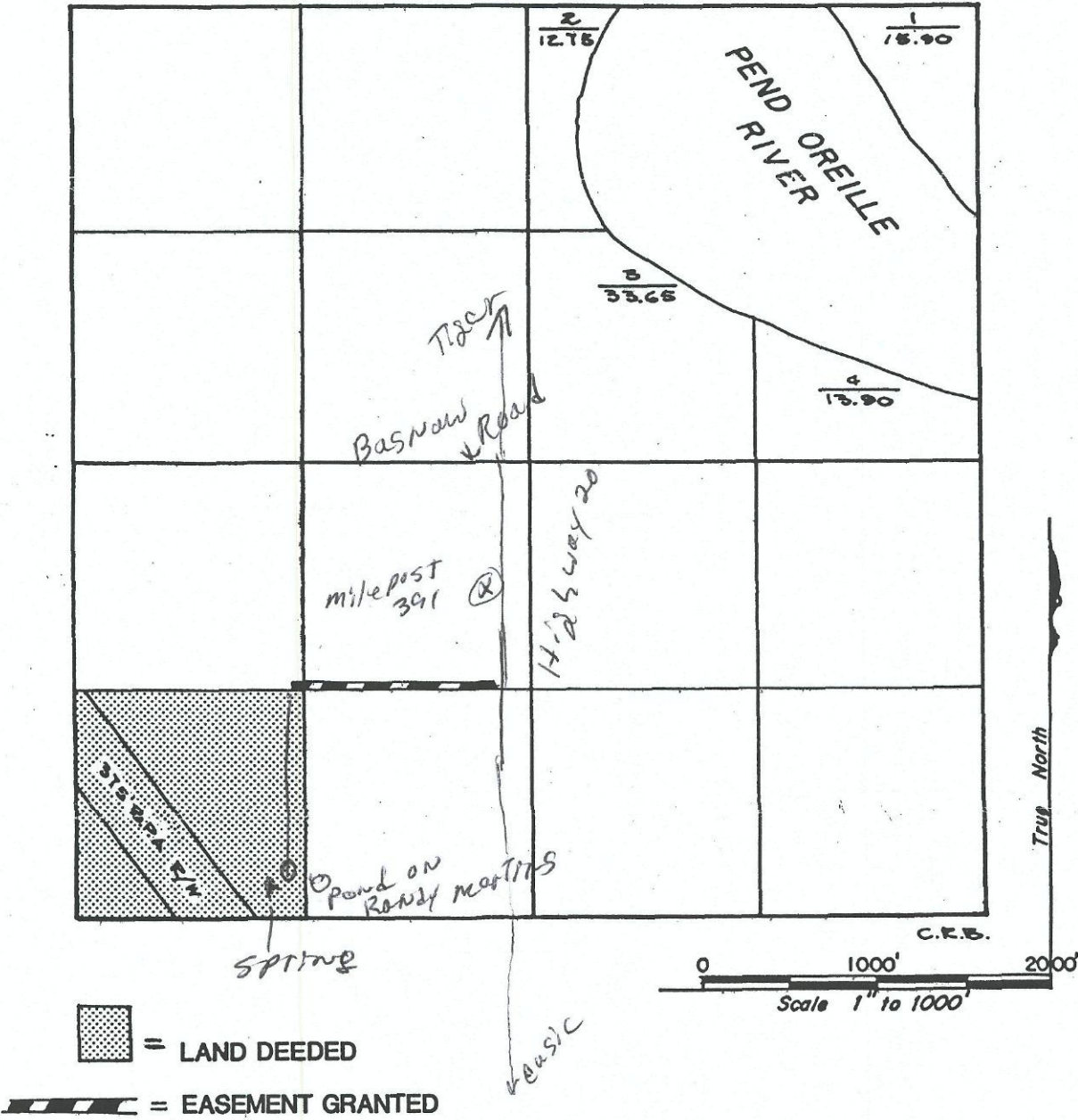


Exhibit A